

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

W.P.No.7366 of 2019

ORDER:

This Writ Petition is being disposed of at the admission stage with the consent of both the parties.

2. This Writ Petition is filed seeking a Writ of Mandamus declaring the action of the respondents in denying to ratify petitioner's appointment as Principal vide order, dated 06-08-2018 of Sana Engineering College (SEC), Kodada, on the pretext that the petitioner's Ph.D., was obtained by way of regular mode and not distance mode despite the fact that a clarification was received which indicates that the Ph.D., of the petitioner was obtained under regular mode while accepting his appointment at earlier point of time as a Principal in Priyadarshani Institute of Science and Technology (VG) (PIST), Chinnakanjerla, Sangareddy District, and denying at this point of time as illegal, arbitrary, unfair and discriminatory and sought consequential direction to hold that the appointment orders dated 06-08-2018 shall be ratified as was done earlier at the time of appointment by the 1st respondent-university with all consequential benefits.

3. Heard Sri M.Ramgopal Rao, learned counsel for the petitioner and Sri V.Ramachandra Goud, learned Standing Counsel, appearing for the respondent Nos.1 and 3.

4. The petitioner submits that he is fully eligible and qualified to be appointed as Principal to the engineering colleges. He has acquired Ph.D. from Jagadish Prasad Jhabarmal, Tiberewala University, Rajasthan (JJT University) and he was initially appointed as Principal in PIST and the respondent-university was pleased to ratify the appointment of the petitioner to act as Principal. He further submits that for better opportunities, he has joined in SEC, Kodada, as Principal on 10-08-2018 and the SEC has submitted proposals to the 1st respondent-university to ratify the petitioner's appointment. He contends that the respondent-university is not passing any orders on the proposals submitted by the SEC and the action of respondents in neither rejecting his case nor approving his appointment as Principal in SEC is illegal. He further contends that some clarification was sought from the SEC by 1st respondent-university as to the degrees and Post Graduation Degrees and Ph.Ds. awarded by J.J.T. University, Rajasthan, and the petitioner has submitted clarification to that effect on 12-03-2019 and 18-03-2019 and in spite of receiving the clarifications, the 1st respondent University is not passing any orders. Therefore, he contends that appropriate directions be passed in the Writ Petition.

5. Learned Standing Counsel, appearing for the respondent Nos.1 and 3, had submitted that since the Ph.D. possessed by the petitioner was doubted as the petitioner has obtained Ph.D., from JJT University, Rajasthan State, a clarification was also sought from the

SEC, Kodada. Since the petitioner has submitted clarification on 12-03-2019, the respondent-university would consider and pass appropriate orders in accordance with law.

6. This Court, having considered the submissions made by both the parties, is of the considered view that the Writ Petition can be disposed of directing the 1st respondent-university to pass appropriate orders on the proposals submitted by the Sana Engineering College, Kodada, in respect of petitioner's appointment as Principal vide orders, dated 06-08-2018 and pass appropriate orders within a period of two weeks from the date of receipt of a copy of this order. No costs.

7. With the above observations, the Writ Petition is disposed of. No costs.

8. As a sequel, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE ABHINAND KUMAR SHAVILI

Date: 08-04-2019
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